

Application No. 09/800,823
Date of Response 10/10/2003
Reply to Action of 7/11/2003

Remarks

Applicant respectfully requests reconsideration.

The Examiner has rejected Claims 1-20 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter with applicant regards as the invention. The Examiner has also objected to claims 15-19 as indefinite because claim 15 is dependent upon itself. The applicant has amended the claims to comply with the examiner's rejections and objections.

The Examiner has asserted that Claims 1-20 are incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. Claim 1 has been amended to further define the cooperative relationships between the elements of the original claim 1 as filed.

The Examiner has asserted that the omitted structural cooperative relationships are the connections between the in vitro cultures, the measuring means, and the means for delivering the needed substances. The Examiner has further asserted that it is unclear how the apparatus means accomplish the job of "regulating the concentration of insulin" in a patient.

Claim 1 has been amended to define the relationship between the in vitro cultures and the measuring means. The relationship between the means for measuring the concentration of glucose, the means for measuring the concentration of insulin, and the means for measuring the concentration of somatostatin are connected to an in vitro cell culture. Reference may be had, for example, to Figures 1 and 2 of the application as filed.

Claim 1 has been amended to define the relationship between the means for delivering the needed substances and the measuring means. The relationship between the means for delivering a specified amount of insulin, means for delivering a specified concentration of glucagon, and means for delivering a specified concentration of somatostatin are connected to means for measuring the concentration of insulin, glucose, and/or somatostatin. Reference may be had, for example, to page 5, paragraph 3 of the specification as filed. Further reference may be had to Figures 1 and 2.

Claim 15 has been amended to correct a minor typographic error as per the examiner's request. Claims 3, 14, and 17 have been amended to correct minor typographical errors.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. If, for any reason, the Patent Examiner believes that a telephone conference with applicant's agent might in any way facilitate the prosecution of this case, the examiner is respectfully requested to call such counsel.

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Respectfully submitted,
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